

Remarks/Arguments

The amendment format of the previous First Amendment is corrected herein to provide proper status identifiers inadvertently left out of the previous response.

Claims 1 - 24 are pending in the application. Claims 11 - 14, 18, 21 and 24 are indicated to have allowable subject matter.

Claims 11, 12, 18, 21 and 24 are written in independent form, and these claims and claims 13 and 14 dependent from claim 11 are believed to be in condition for allowance.

Independent claims 1, 15 and 20 stand rejected under 102(b) as being anticipated by Cartner (3,949,539). However, Cartner fails to include an accumulator. A reservoir is not an accumulator. To better clarify this, applicants' attorney has positively set forth the reservoir (70) in claims 1, 15 and 20. Further claim 1 sets forth that the accumulator provides increasing staged pressure as the boom section approaches the breakaway position to limit momentum of the boom section. Clearly a reservoir is not an accumulator and does not function as the accumulator set forth in claim 1. Therefore claim 1 and claims 2 - 10 and 13 -14 dependent therefrom are believed to be in order for allowance.

Claim 15 is amended to set forth a separate reservoir and to clarify that the accumulator provides an increasing cylinder pressure as the boom section moves from the working position towards the breakaway position. Claim 15 further includes a relief valve connected to the breakaway cylinder, and the accumulator and the relief valve define a cylinder pressure curve (see Fig. 7) which initially increases with cylinder stroke as the boom assembly moves from the working position, the pressure curve generally leveling along an intermediate range of positions of the cylinder stroke and then increasing with cylinder stroke as the boom section approaches the breakaway position. A reservoir is not an accumulator that provides increasing cylinder pressure as the boom section moves. Cartner fails to show an accumulator

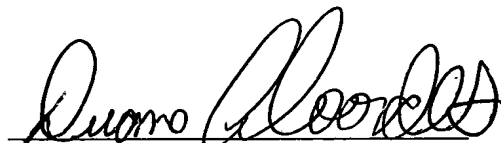
circuit as set forth in claim 15, and fails to show or suggest an accumulator as provided in claim 15. Therefore, claim 15 is believed to be clearly in order for allowance.

Claim 20 is amended to set forth means connecting the valve structure and the accumulator to the source, the reservoir and the breakaway cylinder to provide pressure control of breakaway cylinder operating pressure to absorb energy as the boom section moves from the working position, wherein the staged pressure increases as the boom section approaches the breakaway position to limit momentum of the boom section. Cartner fails to show or suggest an accumulator structure. Therefore, claim 20 and claims 22 and 23 dependent therefrom are believed to be in order for allowance.

In conclusion, it is believed that this application is in condition for allowance, and such allowance is respectfully requested.

Any fees or charges due as a result of filing of the present paper may be charged against Deposit Account 04-0525. Two duplicates of this page are enclosed.

Respectfully,



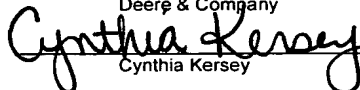
Attorney for Applicant(s)

Duane A. Coordes  
Reg. No. 27,531  
Patent Department  
Deere & Company  
One John Deere Place  
Moline, IL 61265  
Telephone No. (309) 765-4383

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on: 02/20/06  
Date

Deere & Company  
 2/20/06  
Cynthia Kersey Date